



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

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December 21, 2007

Bobby Blackmon, Division Administrator
Federal Highway Administration
Tennessee Division
640 Grassmere Park, Suite 112
Nashville, Tennessee 37211

SUBJECT: Draft Supplemental Environmental Impact Statement for Proposed Kirby Parkway from Macon Road to Walnut Grove Road in Memphis, Shelby County, Tennessee CEQ Number 20070483

Dear Mr. Blackmon:

The U.S. Environmental Protection Agency (EPA) has reviewed the referenced Draft Supplemental Environmental Impact Statement (SEIS) in accordance with its responsibilities under Section 309 of the Clean Air Act and Section 102(2)(C) of the National Environmental Policy Act. The City of Memphis, in conjunction with the Federal Highway Administration (FHWA) and the Tennessee Department of Transportation (TDOT), proposes to construct the 2.5-mile Kirby Parkway from Walnut Grove Road to the intersection of Whitten and Macon Roads in Memphis, Shelby County, Tennessee.

The Draft SEIS has been prepared to address changes that have occurred since the approval of both the Record of Decision (November 1991) and Environmental Reevaluation (March 2001) for the original Kirby Parkway project. In 2005, a committee (Shelby Farms Advisory Team) consisting of the general public, local officials, and state and federal agencies joined in order to study the status of Kirby Parkway. In 2006, as part of a comprehensive context sensitive solutions (CSS) process, this team developed and came to a consensus on the Parkway alternatives. The purpose of the Draft SEIS is to evaluate three new alternative alignments (L, M, and Q) utilizing a combination of existing and new location between Macon Road and Walnut Grove Road. The proposed new roadway design includes the addition of a new interchange, access control, intersection modifications and a design change from six lanes to four lanes split by a landscaped median. The no-build alternative was also considered. Alternative Q is identified as the preferred alternative.

In general, EPA supports the preferred alternative that includes the design changes to the project since its original approval in 1991. EPA would like to commend TDOT, the City of Memphis and Shelby County for employing a thorough CSS approach to this project and significantly involving local residents and other stakeholders to serve as project advisors during project planning. It appears that public input has led to lane reductions from six lanes to four lanes and the addition of a landscaped median and other aesthetically-pleasing design options.

One unresolved issue is pedestrian and bicycle access as part of the project. The Shelby Farms Advisory Team expressed an interest in having sidewalks and bicycle facilities included in the project. It is unclear from the Draft SEIS if these connected facilities will be developed later during the design phase as part of this project or as separate projects. Given the community interest and the proximity to residential and important recreational facilities, EPA recommends that the Final SEIS include a specific commitment to include bicycle and pedestrian facilities as part of the overall project. Certainly the details could be worked out in the final design process.

EPA has some concerns related to potential water quality impacts associated with construction and future operation of the proposed project. The Draft SEIS states that the project alternatives would impact the Wolf River and all of the intermittent streams in the project area. It states, "There will likely be short-term impacts to stream fisheries along the Wolf River due to reduced water quality from physical disturbances, such as rechanneling, bridge pier placement, or other in-stream construction operations." The Wolf River has been identified by the State of Tennessee in 2006 as not meeting designated uses from loss of biological integrity due to siltation. Other than the text in Section IV.C.1, it is unclear if the project will have direct impacts to the Wolf River. The Final SEIS should include a better description or map of the project-related physical impacts to the Wolf River. EPA recommends strict adherence to the erosion control and construction best management practices to protect water quality and aquatic habitat described in the environmental commitments section of the Draft SEIS.

In addition, the preferred alternative, as currently proposed, is not included in the Memphis Metropolitan Area Long Range Transportation Plan. Therefore, it should be confirmed prior to the approval of the Final EIS and Record of Decision that the project is included in the most recent air quality conformity analysis for the Shelby County 8-hour ozone nonattainment and CO maintenance area.

We rate this document EC-1 (Environmental Concerns). We have concerns that the proposed action identifies the potential for impacts to the environment that should be avoided/minimized. We appreciate the opportunity to review the proposed action. Please contact Ben West at (404) 562-9643 if you want to discuss our comments.

Sincerely,



Heinz J. Mueller, Chief
NEPA Program Office
Office of Policy and Management

cc: Tennessee Department of Transportation